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JAN 16 2003
Department of Water Resources
Eastern Region

January 14, 2003

Tim Luke
Department of Water Resources
1301 North Orchard St.
Boise, Idaho 83706

Dear Tim,

While the snow pack is looking better for this summer, it still does not look like a great water year is upon us.

With this in mind I want to ask for your help in making sure that there is proper measuring devices on all diversions, proper locking head gates on all diversions on Warm Springs Creek before summer irrigation begins. I feel that this also applies to pumps that are placed directly in Warm Springs Creek.

There are pumps in the creek that draw more than the amount of water that is pertinent to them. The problem here is that early in the season they do have water that comes down the Nielson Ditch, however, there is no way currently to measure the water in the Nielson Ditch and distribute the water to the ranches that are supposed to get it. So several ranches just take 100% of whatever the Nielson Ditch water is out of our creek either through diversions or pumps. This dries up the creek. If there was a system to measure the shrink and amount of water coming into the Warm Springs Creek from the Nielson Ditch, then the water master or ditch rider could then correctly distribute this water. The way it is now the water users just take what they want. Most of or all of these users don't have measuring devices on the pumps. When I ask for the measurements it takes sometimes weeks to have someone come up and measure the pumps. In a ten to twelve week season that is too long.

There has been an increase in the use of water for new farm ground on the creek and the water use has not been addressed for this new farm ground.

I am also concerned that the water users turn on and off their own water as they see fit. Some have the keys to the head gates and set the flow as they like. Then it is up to the ditch rider to catch them.

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mail to: P.O. BOX 856

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I am most concerned about the Fish Hatchery Canal. For the life of me I cannot understand how the Johnson Ranch gets to use eighty inches of Reno water while Reno uses eighty inches out of the ground. This to anyone else is double use of water. How can someone who only has a right for eighty inches use 160 inches? Reno has a closed system that goes directly into a pivot and the water master is diverting into the canal the full eighty inches of water. How can this be? According to the agreement that all the users of the Fish Hatchery Canal signed three years ago, all users would have accurate measuring devices. Well to date the Aslett/Unger Ranch has never put one in. We let them expand their farming operation by way of this agreement and thousands of dollars were wasted on this dispute and nothing was accomplished except that the Aslett Ranch now uses more water to irrigate more land. This goes on all year unchecked. The Johnson's and the Reno's continue to use whatever water they wish unchecked. When is this going to stop?

The amount of water that is to be turned into the Fish Hatchery Canal should only be Aslett/Unger and Johnson's. If Reno is not using his water then why is it being turned into the canal? According to the agreement Aslett/Unger and Johnson's are to only get 79% of their water. If they cannot get 79% of their water then the Six X Ranch and the Gates Ranch and myself have agreed to put in enough water to deliver to these two ranches 79% of their decreaded water. I believe that these ranches are getting 100% of their water plus some. By looking at Doug's measurements from last summer; on 8/7/02 Johnson had 130 inches going to their ranch when they should only have 13.5 inches of water. That 130 inches is enough to run a pivot and then some below the dam last summer. The same day, Aslett/Unger ranch had 302 inches where they should have had only about 288 inches. Of course this measurement at Aslett/ Unger ranch was at best a guess because they don't have any way to accurately measure their use.

This goes on and on and I have complained about this for years. I am asking you how to address these problems. For how can you during this drought allow this to continue when some users are completely shut off and going broke, and others are using twice the water they are allowed.

This winter when I was testing my new pond for water seepage, you quickly wrote me a letter and everyone of note telling me to stop until I complied to permit conditions. I did so immediately. Now I would ask that you do the same to all water users before the irrigation season. I ask you at this time to make other ranches that have out of stream ponds to also put in measuring devices, and for the Nielson Ditch to be measured. For pumps and diversions in Warm Springs Creek to have measuring devices, and for the Fish Hatchery Canal to be properly measured, and for the Johnson and Reno matter to be

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addressed, and for the Aslett/Unger Ranch to be properly measured and the three year old agreement to be in forced and administrated.

Please let me know the status of these problems before the 2003 irrigation season.

Sincerely,

David R. Stoecklein

A handwritten signature in dark ink, appearing to be 'DRS', written over a horizontal line.

cc. Doug Rosenkrance
Harold Jones
Bob Shaffer

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